



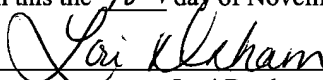
#612
58
112
PATENT
Attorney Docket 6006-018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Boyle, Christopher T.
SERIAL NO.: 09/716,146 EXAMINER: C. Miller
FILING DATE: November 17, 2000 Group Art Unit: 3738
TITLE: DEVICE FOR IN VIVO DELIVERY OF BIOACTIVE AGENTS AND
METHOD OF MANUFACTURE THEREOF

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this document (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as "Express Mail Post Office to Addressee" Mailing Label No. EU 672 710 575 US, in an envelope addressed to the Assist. Commissioner for Patents, Washington, DC 20231 on this the 18th day of November 2002.


Lori Dunham

RECEIVED
NOV 22 2002

TECHNOLOGY CENTER R3700

AMENDMENT AND RESPONSE TO OFFICE ACTION (PAPER NO. 4)

Dear Sir:

This is being filed in response to the Office Action mailed May 17, 2002 (Paper No. 4), in which all pending claims 1-14 were rejected. The following amendment and response are believed to place the pending claims, as amended, in suitable condition for allowance, which is respectfully solicited.

AMENDMENTS

In the specification:

Please replace the paragraph beginning on page 8, line 27 with the following paragraph.

A, --- Turning to Figures 5-7 there is illustrated an alternative embodiment of the inventive endoluminal stent fabricated from a plurality of tubular structural elements 31 formed into a tubular stent and having a desired geometry. It will be appreciated that the generally hexagonal

11/21/2002 SDENBOB1 00000121 182000 09716146
01 FC:2202 27.00 CH
02 FC:2201 84.00 CH

11/21/2002 SDENBOB1 00000121 182000 09716146
03 FC:2253 460.00 CH

cell geometric pattern defining a plurality of interstices 32 as illustrated in Figure 5 is merely exemplary and a myriad of different geometries of different geometric complexities are contemplated by the invention. Each of the tubular structural elements 31 has a central lumen 37 that forms the internal cavity within each structural element 31. A plurality of separation member 38 may be provided to subdivide the internal cavity 37 into a plurality of discontinuous internal cavities 37. Each of the tubular structural elements 31 has a plurality of openings 36 which communicate between the internal cavity 37 and one or both of a luminal surface 33 or an abluminal surface 35 of each of the plurality of tubular structural elements 31. The tubular structural elements 31 may assume any transverse cross-sectional configuration having a central lumen. --

Please replace the paragraph beginning on page 10, line 8 with the following paragraph.

-- Like the above-described embodiments, the structural body 42 has at least one of a plurality of internal cavities 47, each of which carry a bioactive agent 49, and a plurality of openings 44 which pass from at least one upper 46, lower 48 or lateral 45 surface of the structural body 42, through the Z-axis thickness of the body and communicate with the at least one of a plurality of internal cavities 47 in the structural body 42. Where a plurality of internal cavities 47 are provided within the structural body 42, a plurality of bioactive agents 49 may be loaded into the structural body 42 with one or more bioactive agents 49 being loaded into each of the plurality of internal cavities 47. --

In the Abstract:

Page 16, lines 2-7, please replace the Abstract in its entirety with the following new paragraph:

-- The disclosure of the invention provides an implantable structural element for *in vivo* delivery of bioactive agents to a situs in a body. The implantable structural element may be configured as an implantable prosthesis, such as an endoluminal stent, cardiac valve, osteal implant or the like, which serves a dual function of being prosthetic and a carrier for a bioactive